

Warrant Committee Meeting Minutes May 18, 2005

Handout(s) distributed tonight are:

1. *Health Insurance Article*
2. *FY05 Classification and Compensation Plan*

Member(s) absent: Paolillo

Also present: Town Administrator Tom Younger, Acting Assistant Town Administrator Becky Vose, Belmont Cultural Council, Town Counsel Ann Hyland, HR Director Diane Jenkins, and Town Treasurer Floyd Carmen

Chairman Widmer called the meeting to order at 7:40 PM.

Belmont Cultural Council (belmontgallery.org)

The members of the Cultural Council discussed the origins of their group and the pursuit of a public art gallery in town. They interviewed five other galleries with similar situations. A proposal was approved by the Board of Selectmen about two years ago, which included the training room space in the Homer Building training room. The Council reviewed how the Revolving Fund's monies would be raised and expended. A minimal fee would be charged for gallery space. A commission figure of 20% is also put on sold art. In the future, they would like to pay a part-time administrator. Mailing costs and other office expenses would also go through the Fund.

Town Counsel Hyland reviewed the purpose of the Revolving Fund. The general operating and administrative purposes of the gallery would be expended from the Fund. This would accomplish: keeping in compliance with the MA general laws, and the Town retaining control over the funds coming in and expended. The things needed in a Town Meeting motion are: sources of revenue, purpose of the Fund, the entity who is expending, and the maximum amount to be expended.

Member Doblin mentioned the Council might be better positioned to operate fundraising as an independent entity, assuming the Council will grow. Town Counsel's concern is the funding element of the MOA that was presented to them. She presumed a decision was already made as to the structure. Town Counsel clarified that the Cultural Council was organized with the Town as the overseeing authority of the Council.

Member Curtis wondered if we could make a private, non-profit organization where the Town was not involved. The Belmont Cultural Council is a creation of

the Massachusetts Cultural Council. The State funnels money to the different councils in the Commonwealth. The past few years this has been about \$3,100.

Ms. Rogers said the reason this needs to stay within the Cultural Council is because we are using space in a Town building. If we had to go out and rent space, we would not be able to exist. This would be a perfect opportunity to use Town property that was not going to be used in its entirety. Let's combine the wall space to put the gallery in the Town building. We need to be realistic being part of a Town committee on Town property. If we were a private non-profit, it would not be appropriate to use Town space.

Member Heigham is concerned that if it were a 501c3, he would want to see rent, liability insurance and complete separation of employees from the Town. Without those, he does not think a 501c3 should occur. Ms. Rogers pointed out that the Council is comprised of all volunteers, with no prospect of hiring an employee in the foreseeable future.

Chairman Widmer asked Town Accountant Hagg how liability would not come back to the Town. She answered that it would be her office's responsibility to ensure the fund was not overspent.

Member Bruschi wondered what is the Town's protection against expenses incurred that do not have the funds to be backed up. Ms. Rogers added that we've been functioning for three decades under a reimbursement policy.

Member Tillotson pointed out that this is an area of the building needed for training. We need to get our employees more and more opportunities for employees to be trained. How does the art gallery and a training center coexist? How are we accounting for the janitorial, utilities, and lack of use for three days a week? Selectman Solomon reiterated the original negotiation and MOA was drawn up by Town Administrator Kleckner and the Board of Selectmen's office. The need for training facilities is something Town Administrator Kleckner did think about, and apparently to his satisfaction, this was resolved in this area. The issue of janitorial and utility costs was specifically stated that the gallery would be open during the same time as the building would be open. The Cultural Council is a body of the Town. Should there be an evening opening, there would be cost factors associated and discussed.

Member White mentioned that it is clear that non-town entities can rent space from the Town. He does not see that as something that cannot be done at all.

Member Fitzgerald wants to understand what type of accounting package is used, the legal expenses involved with this initiative, the custodial issues, and security. Some of these things may not have to do with the Revolving Funds, but it has a lot to do with costs. Will storage space be required? We've just spent a season cutting budgets, and he is concerned with these additional costs.

Member Heigham asked Town Counsel if there is any specific authority allowing the Town to run an art gallery. She responded there is no specific authority. She thinks it is within the purview of the Council to promote the culture of the Town.

The Council added that the City of Newton runs a public gallery in the library, which is administered by library staff.

Member Curtis asked what protects the Town from a “rogue” Cultural Council person who commits to a contract to purchase something? There is long-standing case law that states the contractor works at his peril if there is not an appropriation or if the appropriate personnel do not authorize the contract.

Ms. Rogers added the Cultural Council will be using interest money for initial start-up costs for the gallery.

Member Doblin thinks the Cultural Council is tying their hands by joining with the Town. If the issue is rent, they why can't the Board of Selectmen make an agreement that they will pay limited rent until then. Town Accountant Hagg said if the Town is going to rent a free space, she has to do a public procurement opening it up to every non-profit.

Member Oates asked if storage space is needed. Ms. Rogers said none of the Council's artwork or anything will be stored in the Town.

Chairman Widmer announced this will be on the Board of Selectmen agenda for Monday May 23. For the Warrant Committee to take a formal vote on the article, it will be done on June 1.

Regarding the amount, a random number of \$50K was initially put in the draft article. The Warrant Committee's comfort level on revolving funds tends to be greater with a smaller amount in discussion. Town Counsel said the cap voted at Town Meeting is the maximum amount expended in a year – anything further could be expended with Board of Selectmen authorization.

Member Bruschi asked for the Warrant Committee to receive a copy of the MOA.

Position Classification and Compensation Plan

Ms. Jenkins said the plan gives a framework for internal equity and compensation. It lists the Town's pay ranges and structure. New positions have evolved since the last pay study done about five years ago. Also, the dispatchers and patrolmen have settled – 1% for FY05.

Chairman Widmer asked if we are required to vote on this every year at Town Meeting. She said it is required in our bylaws “from time to time.”

- *Member Heigham made a motion, Member Hofmann seconded said motion, and the Committee unanimously voted to recommend approval of the compensation article to Town Meeting.*

Warrant Committee Report

A draft of the Warrant Committee Report will be sent to the Committee. If there are any issues, please flag Town Accountant Hagg with the changes. The editing of a standard format will be done by Members Brusch and Hobbs. A final version is due to Asst. Town Administrator Vose by May 24.

Rink Discussion

Town Administrator Younger announced there will be cost estimates in the next few weeks. Also, if there are concrete floors due to cash, it will trigger full ADA compliance. Essentially, the whole building would have to be ADA renovated. If it is a sand floor, the threshold will not be met. Town Administrator Younger added the estimates would cover everything.

The motion would be the cost for renovations and cost to either renovate or repair the rink. The cash would not be specifically in the motion that is initially sent to Town Meeting members because of the timing, but it would be known by Town Meeting night.

Selectman Solomon noted the issue would be the difference in debt issue and the economic useful life of the building. The difference between sand and concrete is \$300K plus the ADA changes necessary for the concrete threshold. Member White thinks we need to understand what the loss of use it is from a concrete to sand floor. What's the trade-offs? The roof with the sand is under the threshold.

Member Brusch added that if you are planning to do this all at once, you are triggering a building committee. Five of the seven building committee members are heavily committed on other projects this summer. The likelihood of having this completed by hockey season is minimal.

Member Hofmann asked if we could put boards on the floor for the summer. It may be worth looking at in order to still have the summer use without spending the money for the concrete project.

Other

The June 1 meeting will be at the Selectmen's Meeting Room. Also, the Warrant Committee will meet on June 22 to vote on Warrant Committee Reserve Fund transfers.

Member Heigham made a motion and it was unanimously voted to adjourn the meeting at 9:16 PM.

Respectfully submitted,

Kristina Frizzell, Recording Clerk